

DPA!



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/771,617	02/04/2004	Jozef Cybula	PRO201T1

Horst M. Kasper  
 13 Forest Drive  
 Warren, NJ 07059



**CONFIRMATION NO. 3287**  
**FORMALITIES**  
**LETTER**

Date Mailed: 08/19/2005

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A *properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*Ugurhan*  
 Office of Initial Patent Examination (703) 308-1202  
 PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Jozef Cybula  
Serial No: 10/771,617 Art Unit: 3643  
Filing Date: February 4, 2004  
Title: FLOWER BED  
Examiner:

September 27, 2005

PRO201T5

**TRANSMITTAL LETTER**

Hon. Commissioner of Patents and Trademarks  
Box Design  
Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

<X> Response to the Notice to File Missing Parts on Nonprovisional Application dated September 27, 2005 (2 pages)

<X> Copy of Declaration for Patent Application and Power of Attorney dated April 14, 2004

<X> Copy of the Transmittal Letter dated April 16, 2004

<X> Copy of the retuned post card stamped by the US Patent Office mailroom on April 19, 2004

<X> Copy of the Notice to File Missing Parts of Nonprovisional Application

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16, and 1.17, after a mailing of a Notice of Allowance under 37 CFR 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

( ) Please charge my Account No.11-0224 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

*Horst M Kasper*  
Horst M Kasper, 13 Forest Drive, Warren, N.J.07059  
Reg. No. 28,559; Tel.(908)526-1717

**CERTIFICATE OF MAILING under 37 CFR 1.8:**

I hereby certify that the correspondence attached hereto is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450,

on SEP 27 2005

Signature: *Holaff* Date: SEP 27 2005

\*trans(PRO201T5(September 27, 2005(am/mm

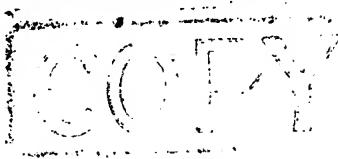
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jozef Cybula  
Serial No: 10/771,617 Art Unit:  
Filing Date: February 4, 2004  
Title: FLOWER BED  
Examiner:

April 14, 2004

Law Office:

PRO201T2



TRANSMITTAL LETTER

Hon. Commissioner of Patents and Trademarks  
Box Design  
Washington, D.C. 20231

SIR:

Transmitted herewith for filing is:

<X> COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

<X> FORM PTO-2038

(X) The applicant hereby petitions the Commissioner of Patents and Trademarks to extend the time for response to any Office Action outstanding in the above captioned matter as necessary to avoid abandonment of the application. Please charge my deposit account No.11-0224 in the amount required to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above account.

(X) The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16, and 1.17, after a mailing of a Notice of Allowance under 37 CFR 1.18 or any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Acct. No.11-0224. A duplicate copy of this sheet is enclosed. If and only if account funds should be insufficient, immediately contact our associate, Lisa Zumwalt, at (703)415-0579, who will pay immediately to avoid deprivation of rights.

( ) Please charge my Account No.11-0224 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

A signature or signatures required for the above recited document(s) is (are) provided herebelow. Such signature(s) also provide(s) ratification for any required signature appearing to be defective in the above recited document(s).

*Horst M Kasper*

Horst M Kasper, 13 Forest Drive, Warren, N.J.07059  
Reg. No. 28,559; Tel.(908)526-1717

CERTIFICATE OF MAILING under 37 CFR 1.8:

I hereby certify that the correspondence attached hereto is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 16 APR 2004

Signature: *Hofaj*  
\*trans(PRO201T2(April 14, 2004(am

Date: 16 APR 2004

BEST AVAILABLE COPY



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Jozef Cybula

Serial No: 10/771617 Art Unit:

Filing Date: February 4, 2004

Title: **FLOWER BED**

---

September 27, 2005

Attorney's Docket No.: PRO201R2

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Hon. Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

This is in response to a Notice to File Missing Parts of Nonprovisional Application, mailed on August 19, 2005, and setting a statutory period for response of two months, said period expiring on October 19, 2005.

The Notice states that an application number and filing date have been accorded to this application, however, the items indicated below are missing:

- *Oath or declaration of the inventor*

Applicant respectfully informs that a Declaration and Power of Attorney for Patent Application, duly executed by the inventor, was filed with the United States Patent and Trademark Office on April 19, 2004.

Applicant encloses a copy of the Transmittal Letter dated April 16, 2004, and a copy of a retuned post card stamped by the US Patent Office mailroom on April 19, 2004.

Applicant submits a copy of Combined Declaration for Patent  
Application and Power of Attorney filed on April 19, 2004.

Entry of the submitted document is respectfully requested.

Respectfully submitted,

Jozef Cybula

By: Horst M. Kasper  
Horst M. Kasper, his attorney  
13 Forest Drive, Warren, N.J. 07059  
Tel.:(908)757-2839 Fax:(908)668-5262  
Reg. No. 28,559 Docket No.: PRO201

Am/mm